

resolve all claims, demands, and causes of action that have been or could have been brought in this case by the Adult Plaintiffs and/or the Minor against Defendant Giacomini, including all claims for injuries and damages received by the Adult Plaintiffs and/or the Minor because of the incident made the basis of this lawsuit.

2. The parties announced that the settlement was made on a disputed claim, Defendant Giacomini having denied any liability to the Adult Plaintiffs and/or the Minor. The parties requested from the Court a final judgment that the Adult Plaintiffs take nothing from Defendant Giacomini.

3. The Court also heard evidence concerning the reasonableness of the settlement with the Minor, including the facts of the incident, any fault of the parties, the alleged injuries and damages received by the Adult Plaintiffs and/or the Minor, and all other evidence deemed by the Court necessary to make a determination of the fairness of the settlement. The Court then decided that the liability of Defendant Giacomini is uncertain; that the settlement is fair and in the best interest of the Minor; that the settlement encompasses all claims, demands, and causes of action of the Adult Plaintiffs and/or the Minor against Defendant Giacomini, including all existing or future, actual or potential, or as yet unrecognized claims, demands, and causes of action arising from the incident giving rise to this suit. The Court decided the settlement should be approved. The Court now approves the settlement.

4. The parties have agreed that the settlement amounts, terms and conditions are confidential; therefore, the amounts paid to the Minor through his Next Friend, and to the Adult Plaintiffs are not recited in this Final Judgment, although the amounts have been fully described to and reviewed by the Court and the Guardian *ad Litem* and are stated in the Confidential Release and Indemnity Agreement. The terms and conditions of the Confidential Release and

Indemnity Agreement, including the amounts paid to the Minor through his Next Friend, are expressly approved by the Court and the Guardian *ad Litem* and incorporated by reference herein.

IT IS ORDERED, ADJUDGED, and DECREED that the Adult Plaintiffs, JAMES A. BRYANT, AS NEXT FRIEND OF BOBBY JAMES LEE BRYANT, A MINOR; SYBIL SANCHEZ, TEMPORARY ADMINISTRATRIX OF THE ESTATE OF AMANDA BRYANT, DECEASED; SYBIL SANCHEZ, INDIVIDUALLY; BOB LEMMONS & LLOYD LIZAKOWSKI TAKE NOTHING by reason of this suit against Defendant Giacomini and that taxable costs of court shall be paid by the party incurring same.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the Minor shall recover from Defendant Giacomini the amount described in the Confidential Release and Indemnity Agreement, out of which that portion of costs, expenses, and attorneys' fees attributed to the Minor's settlement shall be deducted.

IT IS FURTHER ORDER, ADJUDGED, and DECREED that the monies paid for the benefit of the Minor, after costs, expenses, and attorneys' fees attributed to the Minor's portion of the settlement of this cause shall be paid into a Texas Trust (Property) Code Section 142.005 Trust created and maintained for the benefit of BOBBY JAMES LEE BRYANT, a minor, as provided by the Order of the 97th Judicial District Court of Montague County, Texas in Cause No. 04-04-0198 M-CV and dated May 20, 2004, said monies to be administered pursuant to the Terms Of The Management Trust And Agreement of Trustee creating said trust.

It is ORDERED that J. MATTHEW EICHELBERGER, Guardian *ad Litem* for the Minor, shall receive a legal fee in the amount of \$1,500.00, which shall be paid pursuant to the agreement of the parties.

Because the present cash sums recited in the Confidential Release and Indemnity Agreement have been fully paid to the Adult Plaintiffs, and the Minor Plaintiff, by and through his Next Friend, it is ORDERED, ADJUDGED, and DECREED that this Final Judgment is fully satisfied and discharged as to Defendant Giacomini.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Defendant Giacomini is fully relieved and discharged from all liability for the incident made the basis of this lawsuit.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the Adult Plaintiffs, and the Minor are denied all relief against Defendant Giacomini not expressly granted by this Final Judgment, whether the relief was requested or whether it could have been requested in this lawsuit.

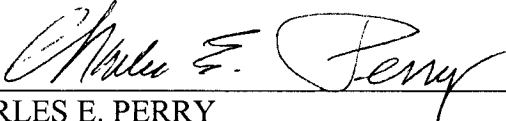
SIGNED this 21st day of November, 2005.



PRESIDING JUDGE

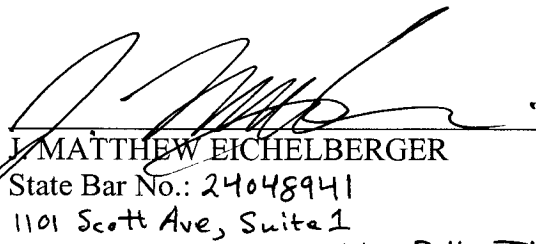
APPROVED AND AGREED TO:

BALCH, PERRY, RASMUSSEN AND SOUTHARD



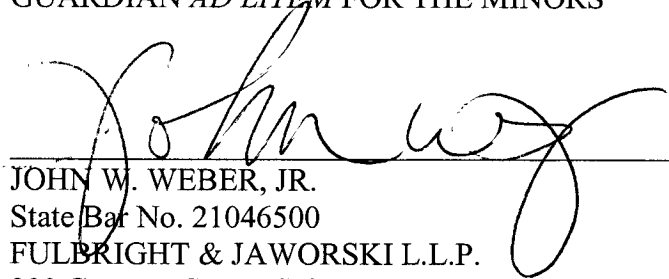
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